

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

GREGORY LOTT,

Petitioner,

vs.

MARGARET BAGLEY, Warden

Respondent.

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CASE NO. 1:04-CV-00822

OPINION & ORDER

[Resolving Doc. No. [102](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

In this closed habeas corpus action, Respondent Margaret Bagley moves the Court to release the original exhibits in Petitioner Gregory Lott's trial so that they can be filed with the Ohio Eighth District Court of Appeals.^{1/} Respondent says that the exhibits may be used in Petitioner's state clemency proceedings before his execution.^{2/} Petitioner does not oppose the motion.^{3/}

The Court **GRANTS** the motion with respect to the documents filed with this Court as Document [42](#), labeled, "Exhibits to Respondent's Second Return of Writ - Original Trial Exhibits in State v. Lott." The Court will maintain possession of Document [43](#), labeled, "Exhibits to Respondent's Second Return of Writ - Copy of Trial Exhibits in State v. Lott." Counsel for Respondent may come to the Office of the Clerk of Court to take possession of the exhibits and must file a notice that they have been filed with the Court of Appeals. Counsel should be prepared to

^{1/}Doc. [102](#).

^{2/}*Id.* at 2.

^{3/}Doc. [103](#).

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return the exhibits to the Court if they should become needed in this case again.

IT IS SO ORDERED

Dated: October 28, 2013

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE